



Patent
Attorney's Docket No. 017753-146

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Monika LUSKY *et al.*) Group Art Unit: 1636
Application No.: 09/867,475) Examiner: Maria Marvich
Filed: May 31, 2001) Confirmation No.: 7808
For: CHIMERIC ADENOVIRAL VECTORS)

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

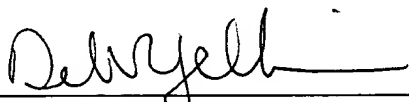
A check for [] \$55.00 (2814) [X] \$110.00 (1814) to cover the requisite Government fee is also attached. The Director is authorized to charge any fees that may be required by this paper, and to credit any overpayment, to Deposit Account 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 24, 2003

By:


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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)
017753-146

In re Application of: Monika LUSKY *et al.*
Application No.: 09/867,475
Filed: May 31, 2001
For: CHIMERIC ADENOVIRAL VECTORS

The owner*, TRANSGENE S.A. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,479,290. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record.

November 24, 2003

Date

Signature

Teresa Stanek Rea, Reg. No. 30,427

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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